

January 25 2021 11:09 AM

KEVIN STOCK
COUNTY CLERK
NO: 21-2-04279-3IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

PATRICIA PARKS, a single woman,

Plaintiff,

v.

WALGREEN CO. a foreign profit
corporation, dba WALGREEN STORE
#3514; and J. Does 1-10,

Defendants.

NO.

COMPLAINT

The Plaintiff, Patricia Parks, for her cause of action against the Defendants, and each of them, alleges as follows:

I. PARTIES, JURISDICTION & VENUE

1. The Plaintiff, Patricia Parks, is now, and was at all times material hereto, a single woman, and a resident of Pierce County, Washington.

2. Upon information and belief, the Defendant Walgreen Co., d/b/a Walgreen Store #3514, is now and was at all times material hereto, a foreign corporation which owns property and transacts business in Pierce County, Washington.

COMPLAINT

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Wattel & York, LLC
6314 19th St W Ste 15
Fircrest, WA 98466-6223
Tel: (253) 471-1075
Fax: (253) 471-1077

3. Upon information and belief, Defendants J. Does 1-10, are natural persons whose true identities are currently unknown to Plaintiff. These individuals may share some responsibility for Plaintiff's injuries, and their identities are unknown to Plaintiff.

4. All acts and omissions alleged herein occurred in Lakewood, Pierce County, Washington. Venue is proper in Pierce County.

II. CLAIM FOR NEGLIGENCE AGAINST DEFENDANTS

5. On or about July 5, 2020, plaintiff was a guest and business invitee of Walgreen, Co., at their store located at 9505 Bridgeport Way SW, Lakewood, WA 98499. While at the facility, Plaintiff was injured when she approached and tripped over a mat at the main entrance to the store.

6. Upon information and belief, the mat was improperly folded, buckled or otherwise pleated in a hazardous manner.

7. Defendant Walgreen Co. d/b/a Walgreen Store #3514, its owners, managers, agents and/or employees J. Doe 1-10 owed Plaintiff a duty of care. This included a duty to use reasonable care to maintain the shopping areas and walkways in a safe manner to prevent the creation of a dangerous situation, a duty to use reasonable care to repair any dangerous condition, a duty to warn of dangerous conditions, a duty to inspect for dangerous conditions, and a duty to protect Plaintiff against known dangers.

8. Defendant Walgreen Co. d/b/a Walgreen Store #3514, its owners, managers, agents and/or employees J. Doe 1-10 breached their duties of care by creating a dangerous condition and by failing to warn Plaintiff of the dangerous condition.

9. Defendants Walgreen Co. d/b/a Walgreen Store #3514, its owners, managers, agents and/or employees J. Doe 1-10 acted within the scope of their agency or employment with

1 Walgreen Co. Defendant Walgreen Co. is vicariously liable for the acts or omissions of
2 Defendants John Does 1-10.

3 10. In addition, or in the alternative, Walgreen's staff placed the mat on the floor in
4 conditions that create a hazard.

5 11. Defendant Walgreen Co., d/b/a Walgreen Store #3514, its owners, managers,
6 agents and/or employees, and J. Doe 1-10 negligently failed to provide a safe environment for its
7 guests and business invitees.

8 12. Defendants Walgreen Co., d/b/a Walgreen Store #3514, its owners, managers,
9 agents and/or employees, and J. Doe 1-10 negligently failed to supervise the area to prevent injury
10 to their patrons.

11 13. As a proximate result of the negligence of Walgreen Co., d/b/a Walgreen Store
12 #3514, its owners, managers, agents and/or employees, and J. Doe 1-10, Plaintiff, Patricia Parks
13 suffered a serious injury.

14 14. Defendant Walgreen Co. d/b/a Walgreen Store #3514, its owners, managers, agents
15 and/or employees J. Doe 1-10 breached their duties of care by creating a dangerous condition and
16 by failing to warn Plaintiff of the dangerous condition.

17 15. Defendants Walgreen Co. d/b/a Walgreen Store #3514, its owners, managers,
18 agents and/or employees J. Doe 1-10 acted within the scope of their agency or employment with
19 Walgreen Co. Defendant Walgreen Co. is vicariously liable for the acts or omissions of
20 Defendants John Does 1-10.

21 **III. DAMAGES**


22 16. As a direct and proximate result of all Defendants' negligence, Plaintiff Patricia
23 Parks has suffered substantial injury. Although Plaintiff Parks resorted to medical attention and

1 supportive remedies, her injuries, pain, and discomfort now prevail and will continue to prevail
2 for an indefinite time into the future. It is impossible at this time to characterize the full nature,
3 extent, severity and duration of said injuries, but they are alleged to be permanent, progressive and
4 disabling in nature. Plaintiff Parks has incurred and will likely continue to incur medical expenses
5 and other expenses to be proved at the time of trial, all to her general damage, in an amount now
6 unknown.

7 WHEREFORE, the Plaintiffs Patricia Parks prays for judgment against the Defendants
8 Walgreen Co. d/b/a Walgreen Store #3514, its owners, managers, agents and/or employees J. Doe
9 1-10, and each of them, jointly and severally, in an amount that will fairly compensate him for all
10 damages sustained, costs and reasonable attorneys' fees, pre-judgment and post-judgment interest
11 calculated at the maximum amount allowable by law, and all other relief the Court deems fair and
12 just.

13 Dated this 22nd day of January, 2021.

14 Wattel & York, LLC

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16 _____
17 Zach J. Hansen, WSBA #41827
18 Attorneys for the Plaintiffs
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